DD/A 76-0830

21 February 1976

MEMORANDUM FOR THE RECORD

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SUBJECT : Appeal of

Appeal of Claim -

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REFERENCE: Memo t

Memo to DDA fr

dtd 9 Dec 75,

same subject (DD/A 76-0317)

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1. On 19 February 1976, I talked to Mr. at length. I pointed out clearly that pickpocket claims have ordinarily been disallowed. The only exceptions have been those where operational matters were involved.

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which would have covered pickpocket loss and could prove that reimbursement to some degree would be accepted, and (b) the balance of the loss could not be claimed against an income tax deduction and he was able to show the net result of reduction in tax liability, we would be inclined to approve that amount of the claim. The above, of course, would be justified on the basis that his cover would not permit him to go to the insurance company and/or include the loss on his income tax statement.

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3. Mr. stated that he would provide the information requested because he was certain that were it not for cover, he would have been able to claim the pickpocket loss on his income tax return or receive some amount on his homeowner's insurance policy.

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Distribution:

→ Orig - DDA Subject w/ref

1 - DDA Chrono w/cy of ref

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EO-DDA/1 (21 Feb 76)

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Att: DD/A 76-0317 Remarks:

Brad:

1. Would you please take a look at the attached appeal.

2. It appears that cover has him 'bottled up' in terms of insurance and/or income tax deduction. Two thoughts occur to me: (a) it's most likely an insurance company would have a deductible clause and perhaps would not refund the entire amount, and (b) income tax consideration for loss is \$100 deductible.

re.

4. Also, note this appeal was not submitted within 60 days as prescribed by regulations, but I can't see letting that influence determination.

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